

UNITED STATES DISTRICT COURT

Filed

for the

OCT 29 2013

Southern District of Mississippi

U.S. Magistrate Judge

United States of America
v.
RENIERI JOEL ROSALES-GIRON

Case No. 3:13-mj-614-FKB

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 23, 2013 in the county of Rankin in the
Southern District of Mississippi, the defendant(s) violated:

*Code Section**Offense Description*

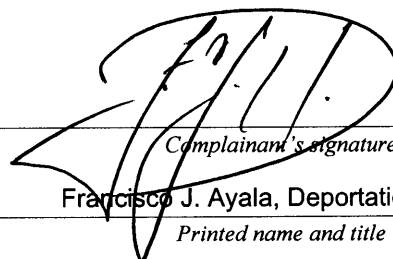
8 U.S.C. § 1324(a)(1)(A)(ii)

Transporting Illegal Aliens

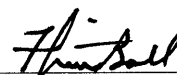
This criminal complaint is based on these facts:

See affidavit of Deportation Officer Francisco J. Ayala attached hereto and incorporated herein by reference.

☒ Continued on the attached sheet.


Complainant's signature
Francisco J. Ayala, Deportation Officer
Printed name and title

Sworn to before me and signed in my presence.

Date: 10/29/2013

Judge's signature

City and state: Jackson, Mississippi

F. Keith Ball, U.S. Magistrate Judge

Printed name and title

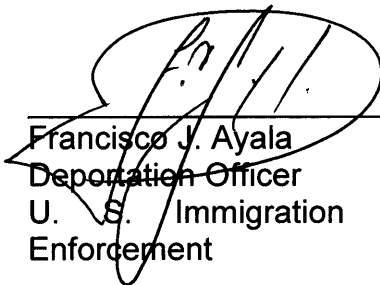
AFFIDAVIT

I, Francisco J. Ayala, being duly sworn, do hereby depose and state:

1. I am a Deportation Officer with United States Immigration and Customs Enforcement (ICE) and have been employed as such since August 12, 2012. Prior to this position I have served as an Immigration Enforcement Agent with ICE.
2. I have received training in the areas of criminal law enforcement as a law enforcement officer for ICE. That training has included the investigation and prosecution of violations of criminal laws relating to unlawful entry, employment, and physical presence in the United States of individuals subject to the Immigration and Nationality Act.
3. My current duties include conducting criminal investigations of violations of Federal Statutes and administrative violations of the Immigration and Nationality Act.
4. As part of my duties, I am involved in the investigation of Renieri Joel ROSALES-Giron, a citizen and national of [REDACTED]. My investigation of ROSALES-Giron has revealed the following: ~~Handwritten: Honduras.~~
 - a. On October 23, 2013 the defendant was the driver of a Ford passenger van transporting 16 recent entrant illegal aliens encountered by the Mississippi Highway Patrol (MHP), Interdictions unit, during a traffic stop on I-20 mile marker 70 in Rankin County Mississippi. The defendant couldn't provide the officer with a valid driver license nor any other form of identification, and stated that he had a Mexican driver license but did not have it with him at that time. The defendant also stated they were travelling from the Houston, TX area to Alabama and claimed not to speak English. The MHP officer contacted your affiant on the phone and notified of what appeared to be a smuggling load of aliens. Your affiant responded to the stop, interviewed the defendant and determined that ROSALES-Giron was a national and citizen of Mexico not in possession of immigration documents that allows him to remain within the United States legally.
 - b. Your affiant placed ROSALES-Giron under arrest, advised him of his Miranda Rights and transported him to the ICE/JAK/ERO for administrative processing.
 - c. During the interview of all passengers, your affiant noticed that none of the passengers had any personal luggage, some of them were sitting on the van's floor and the vehicle had more than the recommended passengers for this type of vehicles, which is consistent with the transportation of Aliens being smuggled into the United States.

- d. All the passengers were identified to be recent entrant illegal aliens furthering their entry into the United States. All 15 individuals were arrested by ERO officers and transported to the Jackson ICE office for administrative processing.
- e. During the administrative process your affiant learned that the passengers paid between \$2,500.00 to \$9,000.00 for being smuggled into the United States.
- f. The defendant was administratively processed and was held in service custody with a \$15,000.00 bond, pending removal from the United States pursuant to Section 212 (a) (6) (A) (i) of the Immigration and Nationality Act.
- g. A records check of the vehicle information was conducted and your affiant learned that this vehicle was used to transport other illegal aliens in TX. Your affiant contacted a Special Agent from the Homeland Security Investigations office in Texas to inquire about this record and was informed that this vehicle is involved in an active investigation related to human smuggling.

Based on the information contained herein, your affiant believes that probable cause exist that Renieri Joel ROSALES-Giron is an alien present in the United States without valid immigration documents that allows him to remain within the United States legally. I further believe that there is probably cause to believe that Renieri Joel ROSALES-Giron knowing or in reckless disregard that an alien has come to, entered, or remains in the United States in violation of law, transported, or moved, or attempted to transport or moved within the United States by means of transportation fifteen illegal aliens in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).



Francisco J. Ayala
Deportation Officer
U. S. Immigration and Customs
Enforcement

Subscribed to me this 27th day of OCTOBER, 2013



Honorable F. Keith Ball
United States Magistrate Judge